

Before the Board of Zoning Adjustment, D. C.

Application No. 11712, of Cyrus Katzen and Stephen M. Berlin, Trustees, for a special exception, pursuant to Section 8207.2 of the Zoning Regulations, to continue the operation of a parking lot in the R-4 zone, as provided by Section 3104.44, in the rear of premises 603-605 Pennsylvania Avenue, S. E., and 318-324 6th Street, S. E., Lots 808, 34, 35, Square 874.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.
2. The parking lot has been in existence since 1958 under order of this Board. The lot is used primarily by the customers of the hardware store located at 603-605 Pennsylvania Ave., S. E.
3. Property owners who reside on 6th Street use the parking lot in the evenings free of charge.
4. The Department of Highways and Traffic offered no objection to the continuance of this parking lot.
5. A field inspection made by the OPM Staff revealed that the parking lot is in compliance with the provisions of Article 74, and recommended approval.
6. The Capitol Hill Restoration Society testified in support of continuance of this lot but asked that the existing potholes be filled, that the lot be cleaned on a regular basis, the hedges cut, and weeds pulled regularly.

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact, the Board concludes that the continuance of this parking lot will not create any dangerous or otherwise objectionable traffic conditions and that the present character and future development of the neighborhood will not be adversely affected.

ORDERED:

That the above application be CONDITIONALLY GRANTED for five (5) years.

That this shall be subject to the following conditions.

This Order shall be subject to the following conditions:

- a. That no Certificate of Occupancy be issued until applicant has filled in potholes on the lot's surface, litter is cleared, hedges are trimmed, and weeds removed.
- b. Permit shall issue for a period of five (5) years but shall be subject to renewal in the discretion of the Board upon the filing of a new appeal in the manner prescribed by the Zoning Regulations.
- c. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- d. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- e. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- f. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- g. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
- h. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.
- i. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

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The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.

HEARING DATE: September 18, 1974

EXECUTIVE SESSION: September 24, 1974

VOTE: 3-0 (Lilla Burt Cummings, Esq., and Martin
Klauber not present, not voting).

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: *James E. Miller*
JAMES E. MILLER
Secretary to the Board

FINAL DATE OF ORDER: OCT 18 1974
OCT 18 1974

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.